REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	27 April 1998
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Spring Break/Taken Down
Other Known Titles:	Not Stated
Director:	Tom "Ropes" McGurk
Producer:	Tom "Ropes" McGurk
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Video Recording VHS/NTSC
Country of Origin:	USA
Language:	English

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Components of film originally examined:

Feature:	Spring Break Taken Down	Running time:	60.01 54.49
Trailers:	Debris Products Presentation	Running time:	0.15 8.43
		Total Running time:	123.48

Excision/Alteration: Yes.

Reason(s) for Excision:

One excision is required to reduce the degrading and dehumanising depictions of a man bound in various sadomasochistic positions, in obvious discomfort. The scenes involve a man being bound to fixed objects such a chair and platform for prolonged periods. Considerable focus is given to the discomfort and pained expression of the man in these positions. This lengthy focus degrades and dehumanises the man to a high degree and presents sexual satisfaction being derived from the infliction of suffering and pain in a cruel and titillatory manner.

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Approved components of film after excision:

Feature:	Spring Break Taken Down	Running time:	44.31 54.49
Trailers:	Debris Products Presentation	Running time:	0.15 8.43

Total Amended Running time: 107.38

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

Nil.

Descriptive Note:

Nil.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The video recording entitled *Spring Break/Taken Down* is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The video recording contains two features, *Spring Break* and *Taken Down*. Each feature presents men being bound in a variety of positions by other men. While bound the men are physically and sexually manipulated including being masturbated to ejaculation and engaging in fellatio and anal intercourse. The men engage in sadomasochistic role play where there is a dominant and submissive participant.

The video recording contains strong images of physical and sexual conduct of a degrading, demeaning and dehumanising nature which in their presentation also degrade and dehumanise the individual participants. The video recording also has prolonged depictions of sexual satisfaction being derived from the infliction and suffering of cruelty and pain. These strong images involve the lengthy focus given to a man who is left alone for indefinite periods while bound to a chair and platform. The camera focuses on the man's discomfort which is highly degrading and makes his

discomfort the most sexually arousing part of the video recording. Consequently, the strength of these depictions is such that the availability of the video recording would be likely to be injurious to the public good if made available in its present state. These strong scenes are recommended for excision. The owner of the video recording has agreed to the excision. The remainder of the video recording contains depictions of men being bound with ropes and engaging in sadomasochistic activity such as men being slapped on their buttocks though these activities are not presented for the same length of time or to the same degree.

The New Zealand Bill of Rights Act 1990 (NZBR Act) has been considered in coming to this decision. The option of excisions is a reasonable limit of the rights and freedoms in s14 of the NZBR Act because of the video recording's strong degrading, dehumanising and demeaning elements and impactful images of sexual satisfaction being derived from the infliction and suffering of cruelty and pain. Similarly, the restriction of the remaining scenes from the video recording to an adult audience is a reasonable limit because of the high level of sadomasochistic sexual activity they contain.

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